DEPARTMENT OF HOMELAND SECURITY
UNITED STATES CUSTOMS AND BORDER PROTECTION
PROCESS RECEIPT AND RETURN

Plaintiff: UNITED STATES OF AMERICA	**Court Case Number:** 04-CR-544
Defendant: KUN FUK CHENG	**Type of Process:** Forfeiture - Publish

SERVE AT: (Name of Individual, Company, Corporation, etc. to be served or Description of property to Seize: (Address: street or RFD, Apt. No., City,State and Zip Code):

Send notice or service copy to requester at Name and Address below:

GLENN T. SUDDABY, United States Attorney, NDNY
218 James T. Foley Courthouse
445 Broadway
Albany, New York 12207

Number of Processes to be Served	
Number of Parties to Served	
Check box if service is on USA	

Special Instructions or Other Information that will assist in expediting service (includes business and alternate addresses, telephone numbers and estimated times available for Service:

Please publish once a week for 3 consecutive weeks in a newspaper of general circulation in the district. Notice shall be cut from the newspaper and attached to a sworn affidavit of the publisher.

Signature of ~~Attorney or other~~ Originator requesting service on behalf of: [signature] **Thomas A. Capezza, AUSA**	**(X)Plaintiff** **( ) Defendant**	Telephone No. 518-431-0247	Date 2/14/06

Signature and Date of Person accepting Process:

SPACE BELOW FOR USE OF DEPARTMENT OF HOMELAND SECURITY AGENCY

I acknowledge receipt for the total number of process indicated.	District of Origin No.______	District to Serve No.______	Signature of Authorized Dept. of Homeland Security Agency Officer	Date
			Wayne A. Foley	2.16.2006

I HEREBY CERTIFY AND RETURN THAT I( ) PERSONALLY SERVED. (X) HAVE LEGAL EVIDENCE OF SERVICE. ( ) HAVE EXECUTED AS SHOWN IN 'REMARKS', THE PROCESS DESCRIBED ON THE INDIVIDUAL, COMPANY, CORPORATION, ETC.,AT THE ADDRESS SHOWN ABOVE OR ON THE ADDRESS INSERTED BELOW

( ) I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE.

Name and Title of individual served if not shown above. ( ) A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address: (complete only if different than shown above)	Date of Service Time of Service ( ) a.m. ( ) p.m.
	Signature,Title and Dept. of Homeland Security Agency: Wayne A. Foley FP&FO, CBP

REMARKS:

The notice was punlished in the Kingston, NY Daily Freeman as requested. Please see attached clipping and sworn affidavit.

State of New York, } ss.:

City of Kingston, County of Ulster,

Notice of Publication and Forfeiture United States of America vs. Kun Fuk Cheng

Notice is hereby given that on or about December 12, 2005, in the case of the United States of America vs. Kun Fuk Cheng, Criminal No. 04-CR-544, the United States District Court for the Northern District of New York entered a Preliminary Order of Forfeiture condemning and forfeiting the following properties to the United States of America:

I. Forfeitable Properties

A. Referenced in Indictment Filed November 17, 2004

Bank Accounts

1. Fleet Bank Account #XXXXXX5947 in the name of Albany Buffet, Inc;
2. Fleet Bank Account #XXXXXX4533 in the name of Food King Buffet, Inc;
3. Fleet Bank Account #XXXXXX4208 in the name of Yes Buffet, Inc.;
4. HSBC Bank Account #XXXXXX5806 in the name of Everyday Buffet Inc.;
5. HSBC Bank Account #XXXXXX0841 in the name of Family Buffet, Inc.;
6. HSBC Bank Account #XXXXXX8472 in the name of Dragon Cheng Buffet, Inc.;
7. HSBC Bank Account #XXXXXX6624 in the name of Hui Guo;
8. HSBC Bank Account #XXXXXX7716 in the name of Hui Guo;
9. HSBC Bank Account #XXXXXX2084 in the of Bik Yuk Wong with Kun Fuk Cheng as a Power of Attorney;
10. HSBC Bank Account #XXXXXX9465 in the name of Wai Tsit Cheng with Kun Fuk Cheng as a Power of Attorney;
11. HSBC Bank Account #XXXXXX4002 in the name of Qiong Huang with Kun Fuk Cheng as a Power of Attorney;
12. HSBC Bank Account #XXXXXX3896 in the name of Qiong Huang with Kun Fuk Cheng as a Power of Attorney;
13. HSBC Bank Account #XXXXXX0442 in the name of Zhilei Chen;
14. HSBC Bank Account #XXXXXX8187 in the name of Zhilei Chen;
15. Key Bank Account #XXXXXX8330 in the name of Yong Liang Lin;
16. Fleet Bank Account #XXXXXX2788 in the name of Albany Realty Corporation;
17. Fleet Bank Account #XXXXXX8217 in the name of Albany Realty Corporation;
18. All current and future funds on deposit in the Allstate Account,

........Laurie Barringer......... being duly sworn, says that she resides in said County and State, and that she now is and at all times hereinafter named, was the principal clerk of *The Daily Freeman*, which is the publisher and printer of THE DAILY FREEMAN, a newspaper published and printed in the City of Kingston, in the County of Ulster, in the State of New York, and that a notice of which the annexed printed notice is a copy, has been published in said newspaper for ....three... insertions ...5/2, 5/9, 5/18........ commencing on the ...2nd..... day of ....May........ 20.06.. and ending on the ...18th..... day of .....May........ 20.06..

...Laurie Barringer...

Sworn to before me this ...19th........ day of ...May............ 2006......

BRENDA M. CRANTZ
Notary Public, State of New York
Qualified in Ulster County
Commission Expires June 30, 2006

....Brenda M Crantz........

Notary Public in and for Ulster County

18. All current and future funds on deposit in the Allstate Account, Account No. XXXXXX8501, under the name of Unknown.

19. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-0888, under the name of Steven Cheng.

20. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-1070; under the name of Vincent Cheng.

21. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-1151, under the name of Wai Tsit Cheng;

22. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-1370, under the name of Celia Cheng;

23. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-3818, under the name of Jin Rong Cheng;

24. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-3824, under the name of Unknown;

25. All current and future funds on deposit in the Charles Schwab Account, Account No. XXXX-8304, under the name of Unknown;

26. All current and future funds on deposit in the Citibank, Account No. XXXX3804, under the name of Jin Rong Cheng

27. All current and future funds on deposit in the Schwab One, Account No. XXXXXX1989, under the name of Kun F. Cheng and Jin R. Cheng;

28. All current and future funds on deposit in the TD Waterhouse, Account No. XXXXXX17-19, under the name of Unknown

VEHICLES

1. CJC 5720; 1996 Black Dodge Suburban; Vin #2B4HB25Y7TK1274-64; registered to: Dragon Cheng Buffet, Inc., 1200 Ulster Ave., Kingston N.Y.

2. S710MA; 1996 Green Dodge Ram Wagon; Vin# 2B5WB35Y3TK13176-3; registered to: Dragon Cheng Buffet, 1200 Ulster Ave., Kingston, N.Y.

3. BTX 5446; 1999 red Dodge 3500 Ram Maxi; Vin# 2B5WB35-ZOXK532623; registered to Yes Buffet, Inc., d/b/a Dragon Buffet, 710 New Loudon Rd., Latham, NY

4. CLW 1368; 2003 maroon Ford E350 Super Club XL Van; Vin #1FBSS31L93HA277-37; registered to Chao Jian Lin, 15 Park Ave., Clifton Park, NY

5. CRV 6330; 2003 gray Ford E350 Super Club Wagon; Vin#

fet; 710 New Loudon Rd., Latham, NY

4. CLW 1368; 2003 maroon Ford E350 Super Club XL Van; Vin #1FBSS31L93HA277-37; registered to Chao Jian Lin, 15 Park Ave., Clifton Park, NY

5. CRV 6330; 2003 gray Ford E350 Super Club Wagon; Vin#
1FBSS31L23HB6742-1; registered to Gee Yuk Yeung, 1200 Ulster Ave., Kingston, NY

6. DAY 3401; 2004 Mercedes ML350 SUV; Vin# 4J-GAB57E64A465715; registered to Jin Rong Cheng, 15 Park Ave., Clifton Park, NY.

7. CUX 5741; 2004 Toyota Suburban, Vin# JTE-BU14R740034045; registered to Hui Guo, 9 Varun Lane, Lake Katrine, NY

Real Property

1. Premises and real property with appurtenances thereon located at 1309 State Street, Schenectady, NY, more particularly described in a Deed dated August 29, 2003 and recorded in the Schenectady County Clerk's Office on September 8, 2003 in Book 1659 of Deeds at Page 806, as follows:

That Certain Plot, Piece or Parcel of Land, with the improvements thereon, situate, lying and being in the City of Schenectady, County of Schenectady and State of New York (formerly the Town of Niskayuna), in the Twelfth Ward of the City of Schenectady on the Northerly side of State Street, being a part of the premises surveyed and made out into lots for Robert Furman in October 1871, by William Henry, Surveyor, bounded and described as follows: BEGINNING at a point in the Northerly side of State Street 58 feet Westerly from the Northeast corner of Linden Street and State Street and running thence westerly along the northerly side of State Street, 58 feet to a point; Thence Northerly among the westerly line of lands said to belong to Edward F. Garing, 150 feet to a point; thence Easterly in a line parallel with the Northerly line of State Street, 58 feet to the lands of John J. Brophy; thence Southerly in a straight line along the Westerly side of Brophy's land, 150 feet to the point or place of beginning. Subject to all convenants, conditions, easements and restrictions of record affecting the same.

Being the same premises conveyed to John Duboveck and Josie Duboveck from Melbourne J. Eno by deed dated October 2, 1963 and recorded in the Schenectady County Clerk's Office on December 2, 1963 in Book 843 of Deeds at Page 268. John Duboveck died a resident of Schenectady County on October 31, 2001. Josephine L. Duboveck died a resident of Schenectady County on December 13, 2002.

Tax Map Identification: Section 4959, Block 4, Lot 45.

2. Premises and real property with appurtenances thereon located at 1828 Altamont Avenue, Rotterdam, NY, more particularly described in a Deed dated January 2, 2003 and recorded in the Schenectady County Clerk's Office on April 24, 2003 in Book 1649 of Deeds at Page 554, as follows:

All that certain piece or parcel and land situate and being in the Town of Rotterdam, County of Schenectady, and State of New York, bounded and described as follows: BEGINNING at a point located at the intersection formed by the southerly line of Altamont Avenue with the northeasterly terminus of Elizabeth Street; thence from said point of beginning and along said southerly line of Altamount Avenue, North 73° 59' 00" East, 113.62 feet to a point; thence in a southerly direction and along the west line of the lands now or formerly of Ralph & Madeline Cimino (Book 627, Page 253 & Book 1071, page 537). South 07° 05' 00" East, 123.69 feet to a point; thence in an easterly direction and along said lands of Cimino, North 90° 00' 00" East, 118.92 feet to a point located in the westerly line of Ferguson Street, thence in a southerly direction and along said westerly line of Ferguson Street, South 00° 00' 00" East, 72.00 feet to a point; thence in a westerly direction and along the north line of the lands of John & Robert Adamec (Book 1054, Page 797), North 90° 00' 00" West, 125.00 feet to a point; thence in a southerly direction and along the said lands of Adamec and continuing along other lands now or formerly of Adamec (Book 1362, Page 157) the lands now or formerly of Shoemaker (Book 959, Page 838) and the lands now or formerly of Fishbough (Book 1610, Page 405), South 00° 00' 00" West, 180.00 feet to a point; thence in a westerly direction and along the north line of the lands now or formerly Adamec (Book 1248, Page 45), North 90° 00' 00" West, 125.00 feet to a point located in the easterly line of said Elizabeth Street; thence in a northerly direction and along said east line of Elizabeth Street the following two courses and distances: 1) North 00° 00' 00" West, 326.39 feet and 2) along a curve to the right having a radius of 25.00 feet, an arc

West, 326.39 feet and 2) along a curve to the right having a radius of 25.00 feet, an arc length of 18.64 and bearing a chord of North 21° 21' 18" East, 18.21 feet to a point said point being the point or place of beginning.

Containing in all 53,705 square feet or 1.233 acres more or less. Being all of Lots 61, 62, 112 thru 119 and a portion of Lots 59, 60, 110 and 111 as shown of a Map of Lots belonging to Martin Ham, dated 7-1-03 and filed on 8-8-03.

Vincent P. Ausfeld PLS 49597

October 4, 2002

Revised: December 18, 2002

TAX MAP IDENTIFICATION:

Section 59.09, Block 8, Lot 5, 6.111, 8, 9.11

3. Premises and real property with appurtenances thereon located at 1879 Central Avenue, Albany, NY, more particularly described in a Deed dated September 23, 2002 and recorded in the Albany County Clerk's Office on January 23, 2004 in Book 2756 of Deeds at Page 1, as follows:

All that certain tract or parcel of land, with the buildings and improvements thereon, situate in the Town of Colonie, formerly Town of Watervliet, County of Albany and State of New York, on the northeasterly side of Albany and Schenectady Turnpike Road, west of the Vly Road, being a part of Lot No. 4 on a map made in 1869 by Gerrit T. Whitbeck, which map was duly filed in the Albany County Clerk's Office on the 21st day of December, 1885, premises hereby conveyed being more particularly bounded and described as follows, viz:

BEGINNING at a point in the northeasterly side or line of Albany-Schenectady Turnpike Road where said line is intersected by the westerly line of a plot of land heretofore conveyed by Elijah Hudson Rider and Ruby Rider, his wife, to John C. Cipullo by deed dated July 6, 1927 and recorded July 7, 1927 in the Albany County Clerk's Office in Book 797 of Deeds, at Page 6, said point of beginning being also 370 feet westerly from the southeasterly corner of said Lot No. 4 and runs from thence westerly and along the said northeasterly side or line of said Albany-Schenectady Turnpike Road, 65 feet to the southeasterly corner of a plot of land heretofore conveyed by John D. Hartman and Emma I. Hartman, his wife, to John W. Finehout and Cora M. Finehout, his wife by deed bearing date September 14, 1912 and recorded in the Albany County Clerk's Office on December 4, 1912 in Book 614 of Deeds at Page 35; running thence northerly and along the easterly line of land so conveyed to said John W. Finehout and Cora M. Finehout, his wife, 150 feet; thence running easterly and parallel with the northeasterly side or line of Albany and Schenectady Turnpike Road, 65 feet to a point 150 feet northerly from the northeasterly side or line of said Albany and Schenectady Turnpike Road; and running thence southerly and at right angles to the northeasterly side of said Albany-Schenectady Turnpike Road,and running thence southerly and at right angles to the northeasterly side of said Albany-Schenectady Turnpike Road; 150 feet to the northeasterly side or line of the Albany-Schenectady Turnpike Road at the point of place of beginning. The premises hereby conveyed being 65 feet in width both front and rear and 150 feet in depth.

Subject to all enforceable covenants, conditions, easements and restrictions of record which may affect said premises.

Being the same premises conveyed to Roy E. Ogren, Jr. and Joseph J. Haller by deed from Henry G. Zelker, Jr. and Sally D. Zelke dated June 28, 1977 and recorded in the Albany County Clerk's Office on the same date in Liber 2133 of Deeds at page 712. The said Jospeh J. Haller died September 16, 1985, a resident of Albany County leaving his wife, Mary R. Haller, his surviving spouse. Letters testamentary were issued to Mary R. Haller by the Surrogate of the County of Albany on October 16, 1985.

4. Premises and real property with appurtenances thereon located at 1881 Central Avenue, Albany, NY, more particularly described in a Deed dated November 4, 1999, and recorded in the Albany County Clerk's Office on November 18, 1999 in Book 2644 of Deeds at Page 59, as follows:

All that certain tract, piece or parcel of land, situate, lying and being in the town of Colonie, County of Albany and State of New York, located on the northeasterly side of Central Avenue, and more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly line of Central Avenue, said point being the division line between lands owned by Ying Y. Lai on the northwest and lands now or formerly of R.E. Ogren, et. al.:

RUNNING THENCE along the land of Ogres et al. North 64 degrees 38 minutes East 331.35 feet to land now or formerly of Hussey;

THENCE North 22 feet 39 minutes 31 seconds West 200.41 feet to the other lands of Lai;

THENCE along land of Lai South 64 degrees 36 minutes 07 seconds West 340.93 feet to the northerly side of Central Avenue;

THENCE along the northeasterly side of Central Avenue South 25 degrees 23 minutes 53 seconds East 200 feet to the point or place of BEGINNING.

5. Premises and real property with appurtenances thereon located at 1885 CENTRAL AVENUE, ALBANY, NY, more particularly described in a Deed dated September 9, 2002, and recorded in the Albany County Clerk's Office on September 30, 2002 in Book 2720 of Deeds at Page 999, as follows:

All that tract or parcel of land situate in the Town of Colonie, County of Albany and State of New York, on the northeast side of Central Avenue, and more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly side of Central Avenue, said point being the division line between lands now or formerly of Cheng and land now or formerly of Lai;

RUNNING THENCE northwesterly along the northeasterly side of Central Avenue 191.50 feet;

THENCE North 49 degrees 35 minutes 20 seconds east 360.07 feet;

THENCE South 33 degrees 28 minutes 03 seconds east 141.22;

THENCE South 40 degrees 19 minutes 12 seconds east 51.32 feet;

THENCE South 49 degrees 35 minutes 20 seconds west 342.89 feet to the northeasterly side of Central Avenue and the point or place of BEGINNING.

Said premises is also known as Lot 13 on Block 1 of Section 29.10 in the County of Albany.

6. Premises and real property with appurtenances thereon located at 52 LENT STREET, POUGHKEEPSIE, NY, more particularly described in a Deed dated January 14, 2004 and recorded in the Dutchess County Clerk's Office on February 9, 2004 as a document number 02 2004 2634 and described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the City of Poughkeepsie, County of Dutchess and State of New York, being bounded and described as follows:

BEGINNING at a point marking the intersection of the southerly boundary of Lent Street with easterly boundary of Bement Avenue; and

RUNNING THENCE along the said southerly boundary of Lent Street South 65 de-

...ng the said southerly boundary of Lent Street, South 65 degrees 05 minutes 40 seconds East a distance of 40.00 feet to a point on the westerly boundary of lands now or formerly of Lanchester;

THENCE along the said westerly boundary of lands now or formerly Lanchester, South 24 degrees 54 minutes 20 seconds West a distance of 123.50 feet to a point;

THENCE along the northerly boundary of lands now of formerly of Canning, North 65 degrees 05 minutes 40 seconds West a distance of 40.00 feet to a point on the first mentioned easterly boundary of Bement Avenue, North 24 degrees 54 minutes 20 seconds East a distance of 123.50 feet to the point or place of BEGINNING.

7. Premises and real property with appurtenances thereon located at 75-77 Elmendorf Street, Kingston, NY, more particularly described in a Deed dated October 2, 2003 and recorded in the Ulster County Clerk's Office on February 24, 2004, in Book Volume VI-3832 of Deeds at Page 60, as follows:

All that certain plot, piece or parcel of land, with buildings and improvements thereon erected, situate, lying and being in the City of Kingston, County of Ulster and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Elmendorf Street, at the intersection of the lands of Waterbury and Tremper at a point seventy-six (76) feet, southerly from a stone monument set in the ground at the intersection of Elmendorf Street and Tremper Avenue;

THENCE southerly along the westerly side of Elmendorf Street about thirty-five (35) feet ten (10) inches to the lands of Jacob H. Tremper Jr.;

THENCE northerly in a line parallel with Elmendorf Street, about thirty-five (35) feet ten (10)inches, to a point at the intersection of the lands of Waterbury and Longyear;

THENCE easterly along the lands of Waterbury ninety (90) feet to the point or place of Beginning.

BEING THE SAME PEMISES DESCRIBED IN A DEED from Dorothy Irene Schikerle dated February 9, 2001 and recorded in the Ulster County Clerks Office on February 12, 2001 in Liber 3127 at page 219

B. Referenced in the Bill of Particulars Filed April 11, 2005

CASH

1. $186,333.75 seized from 1881 Central Ave., Albany, NY;
2. $3,570.00 seized

1. $186,333.75 seized from 1881 Central Ave., Albany, NY;
2. $3,570.00 seized from 1881 Central Ave., Albany, NY;
3. $333.00 seized from 1881 Central Ave., Albany, NY;
4. $1,068.50 seized from 1200 Ulster Ave., Kingston, NY
5. $207.00 seized from 1309 State St., Schenectady, NY;
6. $4,457.00 seized from 710 New Loudon Rd. Latham, NY;
7. $836.00 seized from 15 Park Ave., Clifton Park, NY;
8. $1,718.00 seized from 1828 Altamont Ave., Rotterdam, NY;
9. $222.00 seized from 1828 Altamont Ave., Rotterdam, NY;
10. $86,701.00 seized from 148 4th St., Troy, NY;
11. $4,520.00 seized from 2600 South Rd., Poughkeepsie, NY
12. $3,031.00 seized from 75-77 Elmendorf St., Kingston, NY;
13. $32,072.00 seized from 9 Varun La., Lake Katrine, NY;
14. $280.00 seized from 9 Varun La., Lake Katrine, NY

SAFE DEPOSIT BOX

1. HSBC Safe Deposit Box, Poughkeepsie Branch #080, Account # XXXXXXX5724, in the name of Nian Fa Lin.

RESTRAINED ACCOUNTS

1. Charles Schwab, Account # XXXX1797, in the name of Jln Rong Cheng
2. Charles Schwab, Account # XXXX5791, in the name of Kun Fuk Cheng

C. REFERENCED IN THE BILL OF PARTICULARS FILED JUNE 22, 2005

BANK ACCOUNTS

1. Fleet Bank Account #XXXXX8984 in the names of Xiu Chai Shi and Hui Guo
2. Fleet Bank Account #XXXXX2461 in the name of Hui Guo
3. Fleet Bank Account #XXXXX2931 in the name of Yu Li.
4. Abacus Federal Savings Bank Account #XXX-XXX660-7 in the name of Kun Fuk Cheng
5. Key Bank Account #XXXXXXXX6548 in the name of Jianfeng Qiu
6. HSBC Bank Account #XXXXX5022 in the name of Kun Hui Zheng
7. HSBC Bank Account #XXXXX9348 in the name of Kun Hui Zheng
8. HSBC Bank Account #XXXXX4122 in the name of Xiu C. Shi
9. HSBC Bank Account #XXXXX5292 in the name of Ping D. Lin
10. HSBC Bank Account #XXXXXX5060 in the name of Ping D. Lin
11. HSBC Bank Account #XXXXXX5513 inthe name of Chao Jian Lin
12. Fleet Bank Account #XXXXXX3779 in the name of Chao Jian Lin
13. HSBC Bank Account #XXXXX1768 inthe name of Gee Yuk

count #XXXXX1768 inthe name of Gee Yuk
Yeung
14. HSBC Bank Account #XXXXX2999 in the name of Gee Yuk Yeung
15. The Chinese American Bank Account #XXXX7223 in the name of Kun Fuk Cheng

RESTRAINED ACCOUNTS

1. State Farm Life Insurance policy, Account number XX-XXXX-6111 in the name of Jin Rong Cheng;
2. State Farm life insurance policy, Account number XX-XXXX-2861 in the name of Jin Rong Cheng
3. State Farm life insurance policy, Account number XX-XXXX-0327 in the name of Kun Fuk Cheng;
4. State Farm life insurance policy, Account number XX-XXXX-2863 in the name of Kun Fuk Cheng;
5. State Farm life insurance policy, Account number XX-XXXX-2166 in the name of Vincent K. Cheng;
6. State Farm life insurance policy, Account number XX-XXXX-2156 in the name of Celia Cheng;

REAL PROPERTY

Rome Plaza, 1471 Route 9, Halfmoon, New York 12065, Lis Pendens filed 6/17/05

NET PROCEEDS FROM SALE OF STOCKS

TD Waterhouse- US Steel Stock from compliance account # XXXX2937;

Charles Schwab- AMD and SMI Stock from account #XXXX3818

D. REFERENCED IN THE BILL OF PARTICULARS FILED AUGUST 31, 2005

REAL PROPERTY

Rome Realty, Inc., 1471 Route 9 and 15 Plank Road, Halfmoon, New York, Lis Pendens filed 8/31/05.

The foregoing Preliminary Order of Forfeiture having been entered on or about December 12, 2005, the United States hereby gives notice of its intention to dispose of the forfeited property(ies) in such manner as the United States Attorney General, the Department of Treasury and/or the Department of Homeland Security or their designated representative may direct. Any person having or claiming a legal right, title or interest in the aforementioned property(ies) must filed a petition with the Court within thirty (30) days of the final publication of this Notice and serve a copy of said petition upon Glenn T. Suddaby, United States Attorney for the Northern District of New York, to the attention of Thomas A. Capezza, Assistant United States Attorney, 218 James T. Foley Courthouse, 445 Broadway, Albany New York 12207. The petition shall be signed by the petitioner under the penalty of perjury and

ney for the Northern District of New York, to the attention of Thomas A. Capezza, Assistant United States Attorney, 218 James T. Foley Courthouse, 445 Broadway, Albany New York 12207. The petition shall be signed by the petitioner under the penalty of perjury and
shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in forfeited property and any additional facts supporting the petitioner's claim, and the relief sought.

United States Department of Homeland Security Customs and Border Protection Northern District of New York